

Appl. No.: 10/017,654
Response dated October 20, 2005
Response to Office Action of July 27, 2005

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REMARKS

The Office Action of July 27, 2005 has been reviewed and the comments therein were carefully considered. In the Office Action, claims 1-20 and 23-25 are pending, and claims 1-20 and 23-25 are rejected. Specifically, claims 1-5, 8-20, and 23-25 stand rejected under 35 USC 102(e) as being anticipated by US Patent No. 6,425,131 ("Crandall"). Claims 6-7 stand rejected under 35 USC 103(a) as being unpatentable over Crandall in view of U.S. Patent Application Publication No. 2002/0095612 ("Furhrer").

Claim Rejections – 35 USC §102(e)

Claims 1-5, 8-20, and 23-25 are rejected under 35 USC 102(e) as being anticipated by Crandall. The Applicants respectfully traverse the rejections.

With respect to independent claims 1 and 11, the Office Action alleges that Crandall discloses all features of the claims, however the Applicants respectfully submit that Crandall fails to disclose teach or suggest at least the "distributing a start playback request from the first terminal to the second terminal, wherein the start playback request directs the second terminal to begin a playback session of a media file in synchronization with the first terminal" of claims 1 and 11. The Office Action alleges that Crandall discloses this feature at Col. 3, lines 18-29, however this passage of Crandall merely discloses how a sender computer makes a call through a server computer to a recipient computer to transmit selected information:

The control computer (which may be a personal computer or an automated interactive server of some kind) may be connected to a data network, which for purposes of illustration is a connectionless packet-switched public data network (PDN) such as the Internet. The sender's control computer is connected across the data network to a server computer 150 which facilitates the broadcast of the information to the recipient. The client software 120 illustrated in FIG. 1 comprises a computer program 121 which permits the user to choose a recipient from an address book 122 and dial a voice connection to the recipient by selecting button 123.

(Col. 3, lns. 18-29). The passage does not disclose, however, that the selected information is viewed in a "playback session ... in synchronization with [the sender]," as claimed in

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the present application. For at least this reason, the Applicants respectfully submit that claims 1 and 11 are patentable over Crandall.

Furthermore, because claims 2-10 and 12-13 ultimately depend from independent claims 1 and 11, the Applicants respectfully submit that claims 2-10 and 12-13 are patentable for at least the same reason as claims 1 and 11.

With respect to the rejection of independent claims 14 and 23 under Section 102(e) based on Crandall, the Applicants respectfully traverse the rejection. The Applicants have amended claims 14 and 23 to more particularly point out the feature described above with respect to claims 1 and 11, specifically, that "the playback session" occurs "in synchronization with the host user." Therefore, for the same reasons discussed above with respect to claims 1 and 11, the Applicants respectfully submit that claims 14 and 23 are allowable over the cited reference.

Furthermore, because claims 15-20 and 24-25 ultimately depend from independent claims 14 and 23, the Applicants respectfully submit that claims 15-20 and 24-25 are also allowable over Crandall for at least the same reasons discussed above with respect to claims 1 and 11.

Claim Rejections – 35 USC §103(a)

Claims 6-7 are rejected under 35 USC 103(a) as being unpatentable over Crandall in view of Furhrer. Because claims 6-7 ultimately depend from allowable independent claim 1, the Applicants respectfully submit that claims 6-7 are patentable for at least the reasons discussed above with respect to independent claim 1.

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CONCLUSION

The Applicants respectfully submit that the instant application is in condition for allowance. Favorable reconsideration of this application is respectfully requested. The Examiner is invited to contact the undersigned should it be deemed necessary to facilitate prosecution of the application.

Respectfully submitted,

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